

Maine Revised Statutes
Title 38: WATERS AND NAVIGATION
Chapter 3: PROTECTION AND IMPROVEMENT OF WATERS

§546-A. STATE MARINE OIL SPILL CONTINGENCY PLAN

1. Plan. The commissioner shall develop by December 31, 1991 a preliminary state marine oil spill contingency plan. The commissioner shall hold a public hearing in the process of developing the plan. The commissioner shall consult and coordinate with other agencies and organizations developing information for oil spill response planning to prevent a duplication of effort and the creation of incompatible data and data bases.

[1991, c. 454, §5 (NEW) .]

2. Worst-case scenarios. The marine oil spill contingency plan must address a range of scenarios, including spills of 100,000 gallons, 1,000,000 gallons and 6,000,000 gallons and the worst-case scenario in each major port area in both favorable and adverse conditions. The worst-case scenario in each major port area is the loss of an entire vessel of the following capacities:

- A. Portland: 30,000,000 gallons; [1991, c. 454, §5 (NEW) .]
- B. Penobscot Bay and Penobscot River: 11,000,000 gallons; [1991, c. 454, §5 (NEW) .]
- C. Portsmouth, New Hampshire: 13,000,000 gallons; [1991, c. 454, §5 (NEW) .]
- D. St. John, New Brunswick: 90,000,000 gallons; [1991, c. 454, §5 (NEW) .]
- E. Eastport: 100,000 gallons; and [1991, c. 454, §5 (NEW) .]
- F. Elsewhere on the coast: 30,000 gallons. [1991, c. 454, §5 (NEW) .]

[1991, c. 454, §5 (NEW) .]

3. Contents of plan. The marine oil spill contingency plan must include:

- A. The designation of a state oil spill coordinator; [1991, c. 454, §5 (NEW) .]
- B. A clear definition of the roles of the department, the oil industry, oil spill response organizations and the United States Coast Guard in various circumstances, as well as the roles of other state agencies including the Maine Emergency Management Agency; [1991, c. 698, §7 (AMD) .]
- C. A clear definition of the State's role under the joint agreement between the United States and Canada known as CANUSLANT; [1991, c. 454, §5 (NEW) .]
- D. An inventory of oil spill response equipment available within the State; [1991, c. 454, §5 (NEW) .]
- E. A listing of sources for qualified, trained spill responders within the State; [1991, c. 454, §5 (NEW) .]
- F. Preapproved criteria for use of dispersants, bioremediation and in situ burning, developed in consultation with the United States Coast Guard and other responsible agencies, and the names of the individuals authorized to make the final decision for the State on their use; [1991, c. 454, §5 (NEW) .]
- G. Identification of sensitive areas and resources, and management strategies to protect them; [1991, c. 454, §5 (NEW) .]
- H. Identification of resources for wildlife rehabilitation; and [1991, c. 454, §5 (NEW) .]

I. Identification of facilities for disposal of oily debris and for separation, transport and storage of recovered oil. [1991, c. 454, §5 (NEW).]

[1991, c. 698, §7 (AMD) .]

4. Considerations. In preparing the plan, the need for pre-positioned response teams and additional equipment must be considered.

[1991, c. 454, §5 (NEW) .]

5. Revision. The commissioner shall at least annually review and make recommendations to revise the plan and shall notify all licensees and interested parties requesting to be notified of any substantial changes to the plan. Licensees and interested parties may request a public hearing on changes to the plan by submitting a written request to the commissioner signed by at least 5 persons.

[1991, c. 698, §8 (AMD) .]

SECTION HISTORY

1989, c. 868, §2 (NEW). 1991, c. 454, §5 (RPR). 1991, c. 698, §§7,8 (AMD) .

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